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In 2016 Congregation reformed its way of considering the cases of academics and senior professionals who were under threat of dismissal; it introduced a SERP (Staff Employment Review Panel) process, to be applied “where a Department considers that there is a good cause for dismissal of a member of staff to whom Statute XII applies”. Now a Panel “conducts an oral hearing to decide whether the complaint should be upheld and, if so, what sanction, if any, should be imposed”. The five-member Panel is drawn randomly from a pool of Congregation members who have put themselves forward to serve; they must have had training on the requirements of the SERP (and also of an Appeals process which additionally adjudicates on EJRA matters and compulsory redundancy). The new process succeeded in almost completely replacing the earlier extremely elaborate and costly ‘Visitation Board’ process which was conducted in quasi-judicial mode by a high court judge – still an option where academic freedom is deemed to be involved.

How well is the new system working? In approaching an answer a Report published by the then-Personnel Committee in October 2022¹ is a good starting point. It shows that between 2017 and 2022 33 Panels had been constituted. Most (13) concerned appeals against redundancy due to the termination of a Fixed Term Contract; none have so far been upheld. Only 9 were in cases of possible dismissal on other, (i.e. unspecified disciplinary or health) grounds; 4 were withdrawn and among the remaining 5 only one resulted in dismissal, while the remainder resulted in the imposition of formal warnings. One can conclude that this system – a system with the virtues that it is democratically constituted and (like a

COMPLAINTS AND GRIEVANCES

mini-jury) based on the values of one’s peers – offers a high level of protection against dismissal.

But could the system be further improved? A number of issues deserve further consideration. The pool from which Panels are drawn has a greater representation of professionals; in October 2022 11 academics versus 20 non-academics. On grounds of confidentiality we know nothing about the seriousness or nature of the misdemeanours that potentially merit dismissal or that result in continued employment along with a warning but not necessarily any reparative or remedial action. The stated aim is to complete SERP processes within 8-12 weeks but in practice they can take much longer and this figure may not take into account the earlier processes of investigation prior to the referral to a SERP.

It is important to note that Congregation knows very little about the processes that occur prior to the instigation of a SERP hearing and particularly about the many cases not deemed serious enough for a SERP referral. UCU caseworkers are all too familiar with situations in which the processes of investigation and documentation that are triggered by the making of a formal complaint by an employee or by the employer can take many months, during which time the accused – not the speak of the accuser – is typically under great emotional strain and may even have been suspended (usually on full pay). Most staff members subject to a complaint are probably unfamiliar with the Statutes and they may find themselves being investigated for offences about which they have been told little in advance – those who are not UCU members have no caseworker assistance. Final judgments and sanctions are in the hands of the heads of departments and

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...and much more

one cannot help wondering whether this is a welcome or easy aspect of their role. One can certainly question the consistency of standards in such a devolved system where cases cannot be compared due to confidentiality.

Up to now Congregation has had no way of knowing how many situations arise which could result in warnings without resort to a SERP process but, as Mikal Mast indicates below, Oxford UCU is aware, through its partial but random sample of requests for caseworker assistance, that the scale of personnel problems (e.g. involving discrimination or harassment and bullying) that result in formal complaints is considerable, each resulting in investigations which are usually stressful, long-drawn-out and costly in staff time and resources. It is much to be applauded that the People Committee is now collecting statistics on the extent and nature of all complaint cases throughout the University.

* * *

In general, and in UCU caseworker experience, most staff complaints involve some sort of failure of communication between staff members, in which line managers are likely to be important, directly or indirectly. The only recourse open to staff to trigger a management response and remedies if a staff member believes that they have suffered objectionable experiences involving colleagues or management is to go down the ‘complaint’ or ‘grievance’ route as laid out in the Statutes – the two terms are in practice interchangeable. Exactly the same formal complaint route is followed by management when it has concerns about an employee. The terminology (derived from past UK legislation) is in itself unfortunate in its confrontational overtones, when all that may be intended by the complainant is a polite request for clarification or for engagement that resolves the problem.

The relevant University website² states that:

“The purpose of this grievance procedure is to provide an avenue for an employee to raise concerns regarding their employment, their relationships with colleagues or decisions taken in relation to them.”

Under the heading of ‘Informal Stages’ we are told no more than that:

“The University recognises that some employees may not wish to use a formal procedure and does not wish to deter employees from seeking to resolve concerns informally.”

This formulation can easily be taken to imply that the default position is the formal complaint procedure and it can hardly be said to encourage, or explain, informal alternatives. Given the many demanding and damaging consequences associated with formal complaint procedures there is every reason that the University should positively recommend and increase the rate of informal resolutions of personnel problems.

The scope for reducing the scale of formal processes and for resolving interpersonal issues through psychological and managerial intervention or mediation – the sorts of accommodations that we all have to seek all the time in normal everyday life – is vast. Oxford Brookes University actively encourages this informal approach (see Reminders). Why don’t we?

1. <https://hr.admin.ox.ac.uk/article/staff-employment-review-panels-and-university-appeal-panels-read-the-annual-update>
2. <https://hr.admin.ox.ac.uk/files/grievance-procedure-academic-and-academic-related-staff>

B.B., T.J.H.*

*Declaration of interest; T.J.H is a UCU caseworker



Reminders



The text below outlines procedures for the informal resolution of potential workplace disagreements as published by Oxford Brookes University – eds*

Resolving issues at work policy

1. Introduction

- All staff are strongly encouraged to resolve potential disagreements in the workplace through informal approaches and this policy exists for that purpose. Many workplace problems can be resolved informally, for example through a quiet chat. This is more likely to be effective if it is initiated as soon as possible after any alleged incident/issue.
- Managers and staff at all levels of the University are encouraged to view the informal raising of disagreements constructively. Well-being and good performance/productivity can be dependent on effective working relationships, and the fair and reasonable handling of disagreements is an important element in creating and maintaining those relationships. A 'no fault' approach is strongly recommended by all parties when responding to disagreements raised under this policy, with resolution being a shared and inclusive responsibility.
- This policy covers the following groups of staff: Senior Staff, Academic, Professional Services, Research, Apprentices and all hourly-paid employees. A different provision exists for the Vice Chancellor as well as the Registrar and Chief Operating Officer (see 8 below).
- This in no way affects an employee's statutory right to raise a formal grievance.

2. Purpose

- To have a policy that encourages both staff and managers to resolve disputes at work informally, in an open and discursive manner so that matters do not necessarily have to be raised as formal grievances. It is hoped that most disagreements can be resolved in this informal manner.
- It is not intended that this informal approach should entail a wide scale investigation of issues but rather a safe, informal and constructive dialogue.
- If an issue is raised, this provides an opportunity for the manager to resolve a workplace problem and improve working conditions and/or morale. Knowing about a problem is always much better than remaining ignorant of the fact that an employee is unhappy or disgruntled about some aspect of their employment.

- Adopting a constructive attitude may also facilitate a speedy and satisfactory resolution. A less constructive attitude towards disputes can potentially alienate the member of staff and aggravate the situation. The matter will remain unresolved and the employee may feel that raising a formal grievance is their only recourse.
- This policy does not cover conduct, capability, ill-health or grading matters; these have their own procedures for resolving disputes. It can reasonably be used for all other areas of dispute.

3. Legislation

- Whilst not a statutory legal framework, the University will be mindful of the Code of Practice on disciplinary and grievance procedures

4. Date policy last reviewed

- This policy was reviewed: December 2021.

5. Mediation

- At any stage in this policy the dispute can be paused and mediation can be employed to resolve the issues. Mediation is voluntary and all parties would need to agree to enter into it. The University would encourage all parties to consider mediation at the earliest opportunity as a way of resolving a dispute if all parties feel it might be a very helpful intervention
- Workplace mediation would be facilitated by independent persons whose role would not be to judge any of the parties concerned nor seek to be accusatory. The process would seek to facilitate agreed ways forward, in a supported and confidential manner. Further information on mediation can be secured from Human Resources.

6. Process

- A member of staff wishing to raise a matter of dispute with their line manager does not have to do so in writing. Speaking about the matter may be entirely sufficient, depending upon the circumstances.
- A meeting will be arranged as soon as reasonably possible in a way that can be confidential, safe and discrete. At this meeting the member of staff can be encouraged to talk the issues through.

- Managers should always take the matter seriously. It is possible sometimes that the issues raised appear to the manager to be trivial however, they should bear in mind that the matter may not be trivial to the employee. If the meeting is over something minor, the chances are that the manager will be able to resolve it relatively quickly and without it being burdensome. Managers should be mindful that it is easy for conflicts to become deep-seated when a misunderstanding remains unsolved for a prolonged period of time. Concurrently members of staff are encouraged not to 'store-up' issues over a prolonged period of time before raising them as this sometimes makes the task of resolving them all the more problematic.
- The line manager will draft a confidential record of any meeting, to be agreed by both sides. This record need not be too extensive but could include what the issue is about, what you did (such as meet and discuss it), what was discussed in any informal chat or meeting, any next steps agreed and maybe the reasons for any next steps.
- The record of the meeting will only be shared by the member of staff and their line manager if the matter escalates to a formal grievance or if all involved agree it would be beneficial to share the record more widely.
- Follow up after any chat/meeting to ascertain if the member of staff feels that the matter is now resolved, in reasonable time, and within a period agreed by both sides. If they feel that it is not, then to move things forward the manager could check that any agreed steps have been followed, ascertain if anything further could be done and possibly set up another meeting. The member of staff raising the concern should be told that they have the right to use the Grievance procedure if they are unhappy with the outcome of the process, or if they feel the resolution is taking too long.
- Please note that even if the employee is unable to quite achieve the outcome that they desire, their reaction is still likely to be more receptive and possibly accepting if they feel that their line manager has considered matters thoroughly, fairly and sensitively. However, as stated in para. 1.4, the employee's right to raise a grievance remains unaffected.

7. *Being accompanied and the role of Human Resources*

- Staff may wish to involve someone else such as a colleague or a trade union representative and that is entirely appropriate. If line managers feel a 'case conference' approach would be helpful then others could be included such as someone from HR and/or a Head of Department. However, all parties are asked to remember at all times that informal interventions, however well facilitated, can be intimidating for some staff. The spirit of such meetings is one of not apportioning blame but rather one of openness, constructive dialogue, compromise and seeking an agreed outcome/solution.

8. *Vice-Chancellor and the Registrar and Chief Operating Officer*

- Informal issues raised by these employees largely follow this policy except that any matter of dispute would be submitted to the Director of Human Resources who would inform the Chair of the Board of Governors. It would be for the Chair or their nominated alternate to meet informally with the member of staff in the manner prescribed within this policy.

**<https://www.brookes.ac.uk/staff/working-at-brookes/employment-policies/grievance-disciplinary-and-capability/resolving-is-sues-at-work-policy#:~:text=All%20staff%20are%20strongly%20encouraged,example%20through%20a%20quiet%20chat.>*

The work of UCU caseworkers

MIKAL MAST

What, and who, are union caseworkers? As an Oxford caseworker, my experience applies specifically to the University and College Union (UCU), which represents academic and professional services in the University and colleges, at least with respect to casework support. (Unison and Unite unions offer similar provisions to other staff sections)

The primary role of UCU caseworkers is to advise and assist union members who ask for support when faced with difficulties in their terms of employment or workplace relations. Requests for caseworker support cover a wide variety of situations and difficulties, including the termination of fixed-term contracts, (re)grading, retirement, and work conditions involving problems arising, for example, from illness, disputes, discrimination and harassment or bullying.

Having reassured the staff member that confidentiality will be strictly observed, the first step any caseworker takes is to clarify the facts of the situation and to get a clear understanding of the possible outcome or solution the member is hoping for. Then the caseworker may suggest relevant University procedures and policies, and outline possible routes of recourse or resolution. In cases where the problem is relatively straightforward, it can often be sufficient to recommend sources of assistance within the University and colleges – such as Human Resources, the Equality and Diversity Unit, Occupational Health or the Counselling Service – or to direct the member to external sources of information on employment law and rights, such as the invaluable resources of the Advisory, Conciliation and Arbitration Service (Acas). The caseworker can also call on full-time and highly experienced regional UCU officials for more expert assistance.

In more complicated cases, the caseworker may be able to assist and support the staff member further in two primary ways. First, they can play a facilitating role on behalf of the member by, for example, clarifying the situation through direct contact with the relevant persons or offices within the University in a position to resolve the difficulties. Secondly, if the staff member is asked to at-

tend a meeting with, for example, the member's line manager or head of department with regards to the member's subject of concern, the member normally has the right to be accompanied by a colleague or union caseworker. In such circumstances, a caseworker not only offers moral support, but can act as a witness to the proceedings or can potentially intervene on behalf of the staff member. Importantly, caseworkers can be instrumental in helping both the University and the staff member negotiate and resolve disciplinary and redundancy situations, which can sometimes involve protracted, complex and stressful procedures.

Who are UCU caseworkers? They are members of the union who volunteer their time and experience, for which the University allows time in lieu. To gain experience, new caseworkers are able to 'shadow' experienced caseworkers before taking on their own cases. There are a number of skills training courses, including a day-long course run by regional officials. This course focuses on the specifics of employment law and employee rights. Caseworkers are not expected to have legal qualifications or expertise, since regional caseworkers can be relied upon to provide advice in this area. Instead, caseworkers provide valuable hands-on support and experience of University procedures and policy.

The Oxford UCU currently handles some 150 cases each year, and the need for caseworkers is ever increasing. Although departments and colleges provide some support to staff in the form of Bullying and Harassment Officers, they offer no comparable support system covering the full range of workplace problems. Casework support is a unique function of the union, and, as a long serving caseworker, I feel it is important to give of my time and experience to support fellow workers across all varieties of fields and difficulties across the University.

If you would be interested in learning more about casework please contact UCU at ucu@ox.ac.uk. UCU caseworkers are fellow University and college employees just like you and me, drawn from a wide range of departments, units and offices across the University.

The Garden Glimpsed

*Late frost.
How fine its etchings,
fierce. Light comes in
shatters, sparks.
Is this how angels speak?*

~

The sundial sits
on its silent bell, a stone plinth
steeped in loam,

the mulberry stooped,
her walking stick
an echo of your own.

How absences leave hollows.
singing bowls, after-notes
quaking on the rim,

this avenue storm-culled
lime by lime,
Fellows' Garden thinned,

its ache of grass, its
gift of space, of flight –
How the day-star

dances freely, fronds ignite –
Eranthus hyemalis –
light within light.

Spring's Cusp, Merton College Chapel

*Ninety. Your birthday carolled:
you glow. How late-found joy
can tessellate and grow,
a Koch snowflake, fractal.*

~

Candle-tremor, crocus tongues.
How notes brush the voussoirs,
soothe and soar...

Cantor to choir, sing on.
Evening and morn
et nunc, et semper, et in saecula.

The organ's undulations, *voix celeste*.
Choristers frail and beautiful
over the bass,

pale stoles – snow buntings
in flicker-boughs,
spindle-berry robes –

our chaplain a ring ouzel.
Corbel-angels leaning
as if they hear struck icicles

send a pristine shiver
through the stars.

Hanami

*Almost a ballet: Grove garden.
Japanese cherry pirouettes.
Rippled; stilled.*

~

I lived and live it now,
hanami, umemi,
no thought of origin, only

how blossom breaks, breaks
on the shores
of our abstentions:

all the gardens –
college and Summertown,
the Botanic, the 'Parks –

layers, seven heavens,
cherry-pepper anthers,
hairline stems,

love's silk-screens.

LYNNE WYCHERLEY

Lynne Wycherley worked in Merton College Library for many years. A poet with six collections, she was one of Carcanet's 2007 Oxford Poets and is a former winner of the English Association Fellows' Poetry Prize.

University Teaching and Student Expectations

DON CARLETON

The late Professor C.E.M. Joad, a Balliol man and a leading pacifist in the First World War, continued to be an advocate for his belief in peace during the period between the wars. In 1933 he was said to have been the most effective and persuasive speaker in the famous Oxford Union debate where a motion not to fight for King and country was carried by a fair majority – an event which is said to have persuaded Chancellor Hitler that a successful war in Europe was possible. After the Second World War, Joad became the first professor of Philosophy to become a genuine national celebrity. He was the star of a BBC radio programme called *The Brains Trust* in which Joad and others addressed questions thought to be of general interest. In the last age before television was established as a national medium, it had a very large audience.¹

It was not just the questions which created the interest. It was the method of approach Joad adopted. He frequently began his remarks on the chosen topic with the statement ‘It all depends on what you mean by [the topic]’. His words became a popular saying. His success was broader than merely the one element to which he drew attention in a specific question. Joad had brought into widespread public use a vital element of academic argument or disputation. He imbued people with the ability to put forward an oral argument based on their own study and thinking and offered a way of defending their ideas and insights against the questions and comments of others. He had brought an essential aspect of university teaching into general use.

That kind of university teaching has been called into question by a recent High Court Appeal judgment in Bristol. The case involves the death by suicide of a young Physics student of the University there. She apparently had an extreme fear of speaking to large audiences. When her teachers required her, as a normal part of their teaching, to make an oral presentation about her work to her fellow students, it was too much for her. Tragically, she killed herself. The death of any young and talented person in such circumstances is always very sad and distressing. One can only feel the deepest sympathy for her parents, friends and family, and hope that greater insights into mental health may flow from her death.

The particular circumstances of her death, however, are really for Bristol alone to consider. We in this discussion should be concerned only with the judgment of the court case brought by the parents challenging the University’s responsibility. It raises questions for all universities. It establishes a legal precedent which may determine outcomes in future cases in other universities. The Judge was well aware of that². He was careful not to make any statements one way or the other about matters such as ‘a duty of care’. He nonetheless ruled that the University should have adapted its teaching to accommodate her

illness. He in effect made a judgment which alters not only how university teaching is delivered, but also what is to be delivered by that teaching.

The Bristol case leads us back to Joad. We have to ask: what do we mean by ‘university teaching’? It cannot just mean pedagogic activity given in the physical surroundings devoted to that activity by a body which is widely known and recognised by public authorities as a ‘university’. There are laws about such matters. One cannot simply buy a building, set up an organisation and call it a university. Public recognition, including by partners who are themselves recognised universities, is essential. Degrees from bogus or poor quality institutions have been known to offer loopholes in immigration control. That loophole has been firmly closed³. Statute law as well as common law precedent governs what universities do.

Legal constraint on what universities do is not new. They have been burdened for a quarter of a century by quasi-legal constraints which are actually worse than the ersatz creations of charlatans. The cold winter of our present discontent lies in the TEF and the REF (Teaching Excellence Framework and Research Excellence Framework).⁴ As always there is a website; no administrative folly is complete without one. The TEF website provides details which reveal that Teaching Excellence is based on six criteria, all of them centred on student experience. Nothing in TEF addresses, or tries to find a way to assess, whether traditional culture and learning, the corpus of knowledge garnered by and stored in universities, is being preserved and transmitted as seen as appropriate by those delivering the teaching, or if students are being taught how to conduct research to find new knowledge in the sciences and the humanities.⁵ The TEF offers ‘University teaching’ based on baselines and the so-called baselines of the TEF have been given a framework of law in the Higher Education and Research Act 2017.

University teaching a century ago had become a form of instruction which took place in the atmosphere of research. The REF, although it is ostensibly concerned only with research, therefore also affects university teaching. The old ‘teaching-in-research’ system followed some largely unstated ground rules for research; if a Head of Department in the light of the views of other scholars could be persuaded to allow the research, it could be followed by the teacher/researcher wherever it led. The work had to be publishable, and, when published, it was to be subject to the commentary of other persons learned in that field. Peer review was the criterion of excellence. And the excellence was to be passed on to students through personal, and it has to be said sometimes even idiosyncratic, teaching. As a system, it worked.

Of course, politicians and bureaucrats can never leave well alone. Successive Governments attempted the reform

of the universities⁶. They interfered in teaching and research, claiming that ministers or their surrogates should set the direction and standards. New useful knowledge has continued to come, as it always has, from fundamental research leading to a perception that some reality thus discovered could have a practical application.⁷ Passing laws doesn't change that. Government laws and Government-inspired rules for research have had a damaging effect on university teaching; there is now a real danger that the present generation of those who teach in universities will be prevented by law from passing on the culture and techniques carefully and critically preserved from around fifteen hundred years of inquiry.⁸

But the most serious threat to university teaching lies not in the formal attempts of Government to regulate what happens in universities. The greatest danger lies in the way students have been enabled to influence, and perhaps even determine, what they are taught. The university lecturer now has every reason to be afraid of his/her students. Their attitude towards him/her and what he/she is saying to them can now end a career.⁹ This 'calling out' has already led to forced resignations by university teachers. It has caused what tribunals have deemed to be 'unfair dismissals' by university administrations fearful of the public relations disaster that such student unrest may cause.

There appears to be a substantial gap between how young people who come to universities to study see such questions, and how older scholars who teach may perceive them. It does not matter if the information offered is the academic consensus in that subject or is the product of years of study and research. It is to be 'called out' or to be 'cancelled'. That is, it is to become what earlier generations called *anathema*¹⁰. Student censorship is becoming a powerful force, and it is now backed by the force of law. After the precedent established by the Bristol case, a student who feels aggrieved, upset, or made uneasy by university teaching may now be able to demand that the university adapts its teaching to mitigate his or her illness. A lecturer standing before students now has to ask: will my students accept what I say, or will I be called out?¹¹

Universities have now to be concerned about the relationship between the teacher and the taught and how that is affected by the change in student sensibility. How can one teach freely if, in law, the student is a customer entitled to all the protections which govern the relationship and/or contract between a buyer and a seller? If one does not teach a subject to a student's liking, is the teacher failing to deliver a contracted service or goods? If one fails to offer 'trigger warnings', can the student claim damages? Can even mute or implied criticism of a student's work be termed 'microaggression' or 'controlling behaviour'?

If university teaching were to become in law a 'licensed assault' like we see in tattooing, boxing, or surgery, any damage would be mutually agreed. There is no contract. It is a voluntary association in which potential harm may be allowed in the hope of longer-term benefit. It is accepted in law that a student's relationship with a university is a voluntary association in which the potential damage is mutually agreed. The interaction is licensed. If universities make the same stipulation as an entrance condition, the ability of students to be upset or hurt by teaching will be abridged, if not removed entirely. University teaching can be, and will be seen legally, for what it is: a challenging, upsetting, and sometimes life-changing experience which

ultimately may be of benefit to the recipient. Those who teach can also learn from interacting with students. *Docendo discimus* we used to say.¹²

Universities might also decide to declare and protect their 'image rights'.¹³ This is now a recognised concept in contract law. Well-known professional footballers, for example, can extract extra payments from their employers for such rights. If students behave badly, or sue their university in an action designed to succeed by embarrassment, universities would have a defence. It used to be possible for a university, or a college within it, to send a student down for 'bringing the university into disrepute'. The contract relationship of university and student no longer allows that charge because an offence in student discipline now has by law to be specific so that the student can be aware in advance that he is breaking a rule. The result is that universities now have no sanctions against those who attack their good name and reputation (not least by impugning the teaching and those who teach) while in membership of the institution.

In 'image rights law' the university might find a remedy. In some circumstances the university could withdraw the right of a graduate to describe himself as 'an Oxford graduate' since the university alone would hold title to that description. It would restore the old traditional standing of a degree which is fundamentally a license uniquely granted by the teaching staff on the basis of their opinion of a student's achievement as a junior member of the university. Most universities with charters already have the legal power to rescind degrees if and when it is considered appropriate. They may need to assert that right if university teaching of any quality is to be preserved.

Of course, it is perfectly possible to argue that the academic community might choose to sit on its hands and do nothing. University teachers may prefer to remain silent. Those who lead universities may have no stomach for the fight. Few people want to put their heads above the parapet or lead the charge against entrenched positions. Accepting the *status quo*, even if it is to opt for a life of quiet bland desperation, is always an option. But if university teachers do that, they not only stifle their own careers; they make it impossible for their successors to have one at all. There is a responsibility to the future generations of scholars. If we do not try to change things, we betray a whole way of life. It would be what Benda prophesied just under a hundred years ago: *La trahison des clercs*.¹⁴

1. The audience was 12 million – about 30% of the adult population. The programme began in 1941 and was considered by Asa Briggs, Vice-Chancellor of the University of Sussex and the historian of the BBC, to be, with the comedy programme ITMA, to be the triumph of broadcasting in the war years.

2. The first trial at Bristol County Court was in March 2022 (Judge Alex Ralton). The High Court judgment was given by Mr Justice Linden. Bristol was fined over £50,000, and its costs must have been considerable. They could be of the order of somewhere between £300,000 and £500,000. A 'class action' in a case based on this judgment could ruin a college or a university.

3. In the 2017 Higher Education and Research Act 56 and 57.

4. Government-sponsored teaching assessment has been around in one form or another for about thirty years. The latest framework came into being in 2017. Together with Research Assessment, its impact has grad-

ually eroded the central purposes, and day to day functioning, of the universities as places of learning.

5. The TEF website reveals a collection of unsupported and unquantified assertions ('UK universities are world leaders in teaching'), prejudice ('the fact that there are surprises suggests that it is working'), and tautologies ('teaching excellence' which is an expression, like 'military intelligence', only to be used ironically). It is administered by the Office for Students, whose acronym is actually defined in the legislation as OfS. The acronym seems to be frivolously modelled on the AfD – the German Right-Wing party. To insert the acronym in the act was an act of vanity. Someone probably was very pleased with his own wit.
6. Which is having much the same effect as King Henry VIII's reform of the monasteries.
7. From X rays to magnetic resonance, medical devices have come from many years of 'bluesky' research – research aimed at fundamental knowledge, not useful 'breakthroughs'. Some medical advances like penicillin and the EB Virus were discovered by observations of unexpected phenomena which good scientific training enabled researchers to spot and explain. Miss Barr, for example, was working under the teaching guidance of M A. (later Sir Anthony) Epstein when they spotted a variation caused by a delay in a shipment of virus samples. John Stewart Bell who found a gap in Einstein's Theory of Everything was not even working in a university when he discovered entanglement.
8. Much of the science and some of the literature that Greece and Mesopotamia had created was destroyed by the growth of the Christian church. Iconoclasts destroyed libraries and scholars (like Hypatia of Alexandria) alike. We are fortunate that some of it was preserved in the great Arab libraries like the Abbasid one in Baghdad, Bayt-al-Hikma – 'The House of Wisdom'. The teaching of independent thought was preserved in Ireland and later (from about 560 AD) spread across most of modern Europe by determinedly independent monks unrestrained by a Church which then was more concerned about enforcing authority and obedience than finding new converts or new knowledge. Maeldubh d. 675 founded Malmsbury and William of Malmsbury with Abbot Godfrey built up a great library there (including his favourite classical non-biblical works in Greek and Latin) around 1120. William refused to become Abbot, preferring to be Librarian where he could control the research base. It may be that some his students (who came to Oxford with the Empress Matilda his patron) founded Oxford as a place of learning and university teaching.
9. The word 'woke' is sometimes used in this context. Joad would insist we state what we mean by 'woke'. 'Woke' began among African Americans as long as eighty years ago. It appears to have started as a reference to religious faith (salvation by Jesus). Thus 'I was sleeping but now I am woke; I was lost but now I am found'. More recently, it has been used to indicate an awareness of injustice. To be 'woke' meant to be attentive to facts or issues involved in social matters. It rapidly developed a counter-meaning, an ironic dismissal of false protestation of worthiness. It is now replaced by newer coinages in most contexts but remains associated with verbal uses such as 'calling out'. 'Calling out' means revealing publicly, or physically opposing, views contrary to those you hold without using a process of counter argument. It is an almost religious rejection of the disapproving view which is leading to the 'cancelling' of the person uttering them.
10. The formal expulsion of a person from the body of the church by the Pope or other senior figure.
11. Professor Miller in Bristol, who, on the basis of his own research, was opposed to Zionism, was dismissed for teaching his findings (see *Oxford Magazine*, No 462, Fifth Week, Hilary Term, 2024).
12. 'Through teaching we learn'. Possibly a paraphrase based on Seneca the Younger 4BC-65AD
13. Acknowledging such image rights would have to become a part of the admissions process.
14. Book title by Julien Benda 1927. Benda thought that people of learning, intelligence and culture (intellectuals) should oppose the emerging all-encompassing species-wide world civilisation that would cease to locate the good outside the real world. His book concluded: 'And History will smile to think that this is the species for which Socrates and Jesus Christ died'. What he opposed is very like 'the new World Order' advocated by George Soros and other globalists and managerialists in which a Manichean benign bureaucracy runs everything bestowing benefits on a quiescent world population within which nations and borders have ceased to exist.

Simmer dim

Because it is still light
at midnight, I am watching
sea and sky from the ferry

there might only be me
and the sea swallow
trailing its streamers

how does it know where to go –
I have a map yet still
I'm lost, the sea so lonely

In the museum, Lerwick

A sixareen for the haaf fishing (it took twenty hours to pull seventy miles). Oh God, the wind and waves, the sea fog. No wonder they had their superstitions, never learnt to swim. A painting of the last white-tailed sea eagle to nest on Shetland (1915). A burial urn and lid from Burra (the lid used as a shovel to move embers from the fire). Pictish painted pebbles. Children's drawings (800 AD) scratched on stone – a bird, a boat. A byre lantern. A gue: forerunner to the fiddle which I see a man holding in this black and white photograph of a family from Whalsay (parish unknown) taking a break from harvesting. What happened to them, the fiddle player, the boy resting his hand on the collie's back, the girl with the plaited hair?

On the beach at West Ayre

today's tide has left
a pair of men's swimming
trunks, khaki
(the pockets full of sand)
a guillemot's feather
a tangle of orange fishing line
the skull of a gull
bleached white, picked clean
a frill of kelp I might
take home
to tell the weather
three *groatie buckies*
the sole of a shoe

SUE LEIGH

Sue Leigh's second collection of poems, *Her Orchards*, was published by Two Rivers Press in 2021; her collaboration with the Cornish painter Alice Mumford, *A Painter and a Poet: Conversations in Colour*, was published last year by Sansom & Company.

Winter Song: February 1st

'the sea is an epic poem!' you roared,
set about your daily business,
god of the black bins, scourge of the meek,
the acquiescent. Time for a change
in this humdrum excuse for a town.

O for a Jimi Hendrix on the cliff top,
conducting the gulls in a chaos of sound;
wishbones of Botticellis stretched
from here to eternity, golden manes
on fire in the unforgiving sunlight.

Not quite yet. Gently does it, like a mole
testing the air. Winter holds its grip,
spreads its sleepy wings for a month or more.
Live a little more from day to day
until the mind opens to face the real thing.

PETER PEGNALL

Peter Peggall has published seven collections of poetry and been writer in residence in many places, as well as a visiting poet at Lancaster, Sussex, Leeds, and Coleraine Universities. He is the director and founder of initiatives including The Brighton Festival, South Hill Park Arts Centre, The Belfry Arts Centre in North Norfolk, and A Caso dos Poetas, an international festival in Silves.

College autonomy

G.R.EVANS

How much autonomy do the Colleges of Oxford and Cambridge have? They are independent legal entities,¹ corporations in their own right, but they are also charities. Oxford's Colleges have found themselves under individual scrutiny by the Charity Commission in the wake of controversy concerning Christ Church's expenditure during a recent controversy. An Official Warning was issued on 10 November 2022.² But Colleges must give a regular account of themselves to the Charity Commission even in the normal way of things. My own College, St. Anne's, did so after it registered with the Charity Commission on 20 June 2011.³ In providing details of its governance as required, it admitted to having a governing body of trustees far larger than the Charity Commission would approve while pointing, like other Colleges, to its royal charter and its Statutes for binding authority to list more than four dozen.

Oxford's Colleges have been responding individually to Charity Commission inquiries though the Conference of Colleges has been able to help to coordinate responses. The Conference of Colleges describes itself as 'a forum' for Colleges to 'deal with matters of shared interest', and a 'voice for college interests within the University community'.⁴

Cambridge's Colleges are in a similar position of being bound by their Royal Charters and Statutes to govern themselves in ways not necessarily compliant with the requirements to be met by a charity. For example, in the case of the two Cambridge Colleges of which I have been a Fellow, Sidney Sussex, founded in 1596, records its 'regular review' of 'existing and new Charity Commission guidance' alongside its compliance 'with its Statutes and Ordinances under its Charter.'⁵ The comparative newcomer Fitzwilliam, which gained a Royal Charter only in 1966, is equipped with 64 Statutes and a governing body composed in the usual way of numerous Fellows.

The original Statutes of Caius invested its government in the Master and twelve senior Fellows so it has been straightforward for it to create a body of 13 Trustees. Cambridge's Colleges' work together more loosely through a Colleges Committee with a Intercollegiate Standing Committee⁶ which give respectful attention to College autonomy. It makes no claim to decision-making powers binding on a College, but acts 'as a channel of communication between the Colleges' Committee and University bodies'. If the Charity Commission asked searching questions of a Cambridge College it would feel free to respond for itself.

A recent significant financial test proved the willingness of Colleges to make their own decisions. In both Universities Colleges belong in their own right to the Universities Superannuation Scheme, contributing to it in proportion to their individual wealth. When Trinity College Cambridge found itself at extreme financial risk when the USS was itself in trouble, its governing body decided to remove itself from the scheme (making a payment of £30m) and

undertake continuing pension provision for its members itself. On 19 June 2019 *Varsity*⁷ reported widespread academic indignation with several dozen protesters refusing to supervise Trinity students. That option is no longer open to Oxford or Cambridge Colleges.

Some Colleges are not autonomous

Non-colleges lacking the autonomy conferred by a Royal Charter continue to exist. Oxford still has three Societies listed in Statute V: Kellogg, Reuben and St. Cross. These are essentially departments of the University. Reuben, the most recently established, had its independence expressly restricted by Council Regulations on its approval in 2019. These include the requirement that the President of its Council shall be appointed by the University and be accountable to Council.⁸ The 1854 Oxford University Act allowed Masters of Arts to open Private Halls. Oxford also still has Permanent Private Halls: Blackfriars, Campion, Regent's Park and Wycliffe, all with origins on Christian denominations and dependent on the University's licence to matriculate their students.

Cambridge formerly had its share of non-colleges in the form of Approved Foundations in addition to its autonomous Colleges. The last of these was Hughes Hall.⁹ In 1998 it submitted a proposal to amend its articles of association to the University, but the University deemed that this did not require any action to be taken.¹⁰ It gained its royal charter in 2006 and became a full College. Cambridge also has provision for Approved Societies which must be recognised by Special Ordinance, though none are so approved at present.

Accountability of College to University

Both Universities have their own Statutes setting requirements about their relationship with Colleges. Statute V in Oxford and Statute G in Cambridge require a College to seek the University's approval before it makes changes to its governance. The legislation beginning in the nineteenth century was insistent about that. Oxford has Regulations under its Statute V which is very brief but has detailed Regulations under it.¹¹ Cambridge's Statute G is far more detailed than Oxford's Statute V, dealing among other things with the arrangements for colleges to make financial contributions to the University. Under Statute G, II, 17:

'Every College shall pay to the University on or before 31 December following the end of the accounting period for a year one-half of the contribution calculated for that year, and the remaining one-half on or before 30 June next following.'

That is a legacy of the concerns which prompted nearly

a century of nineteenth century and early twentieth-century legislation during the period when the Colleges were far richer than the Universities, and the Universities badly needed money to pay salaries because they were multiplying appointments to academic staff of their own*.

The independence of Colleges to make academic appointments

Colleges evolved over the centuries from early lodging houses for students. Students came to belong primarily to their Colleges once the Colleges provided tutors who taught them personally, at first often chiefly by suggesting books for them to read. Lectures were provided by the Universities, but patchily and few until the nineteenth century brought added Professors to give them.

The modern relationship between the Colleges and the Universities of Oxford and Cambridge in the provision of teaching and the conduct of research differs in a fundamental respect, in that the Fellows of Oxford's Colleges may hold conjoint appointments with the University but Cambridge offers no such appointments. An Oxford Departmental Lectureship, Associate Professorship or Statutory Professorship may stand alone or be joint with a post at the same level in a College. Cambridge has a number of 'teaching-and-research' University Offices under contract to the University alone. University Teaching Officers must give a minimum of thirty lectures a year.¹² They are qualified to matriculate and thus become members of the University but they need not be Fellows of Colleges. Others hold College Lectureships, making them College Teaching Officers but not University Officers.¹³ College Teaching Officers normally have a duty to give undergraduate supervisions but UTOs are free to agree with Colleges as they wish, to give supervisions paid by the hour, or not.

The independence of Colleges to choose which students to admit

Admission is competitive among Colleges in both Universities, and in both College independence allows each to determine which students to admit. Through the Conference of Colleges Oxford's Colleges recently took a binding vote and decided that all interviews of applicants would in future be online.

Oxford Software problems led to a recent admissions fiasco. In Cambridge there has been some collaboration among Colleges in accepting certain Faculty or subject-based requirements for applicants to take preliminary tests or examinations, but it is for each College to decide who to select amongst those who perform satisfactorily in those.

Oxford provides detailed explanation about how to apply,¹⁴ listing the Colleges each of which explains itself and its application procedure.¹⁵ Cambridge also publishes general information and advice to prospective students about how to apply¹⁶ and the steps which follow after an interview.¹⁷ However it is for each Cambridge College to decide whether and how to interview its applicants, with an expectation that those offered a place will have been interviewed. In the present session those who live in the UK will be interviewed in person if they have

applied to Gonville and Caius, King's, Pembroke, Peterhouse, Selwyn, or Trinity College. If to a different College the interview will be online.

Having been an Admissions Tutor I looked at the Cambridge Colleges of which I have been a Fellow. Sidney Sussex says its undergraduate interviews 'will take place virtually' in 2023. Fitwilliam says:

'Once we receive your application material, it will be reviewed by both administrative and academic staff. Following this review, a proportion of applications will be rejected. The remaining candidates will then be invited to interview. It is likely that you will be asked to submit written work and/or to undertake an admissions test, either before or during your interview. Interviews are held online.'

It adds further information 'on how interviews are structured and how best to prepare'.

Is membership of a College separate from University membership?

Only the Universities can grant degrees. Linking 'membership and degrees' in its Special Ordinances and Ordinances Cambridge does not provide a counterpart summary to Oxford's Statute II on the University's membership. That has thrown the University into some recent confusion. A joint *Report* of the Council and the General Board prompted by concerns about the consequence of non-payment of fees, was published in the *Reporter* on 10 January. It proposed to separate membership of the University from the holding of its degrees. That would allow a graduate to choose to cease to be a member of the University while continuing to hold its degrees:

'Unless a matriculated person specifically asks to renounce their degree or degrees, resignation of membership of the University shall not entail cancellation of any degree held.'

That led to strong challenge in Discussion¹⁸ and calls for a ballot. A speaker in the Discussion pointed out that the *Report* had said 'nothing about College membership, which would presumably be unaffected by loss of University membership'.

1. The autonomy of the colleges as legal entities with the right to create Statutes of their own, subject to certain provisions became firmly established in both Oxford and Cambridge in a series of Acts of Parliament only between 1854 and 1923: the University of Oxford Act 1854; the University of Cambridge Act 1856 and the Universities of Oxford and Cambridge Acts of 1877 and 1923.

2. <https://www.gov.uk/government/news/charity-regulator-issues-official-warning-to-christ-church-oxford>

3. http://d307gmaoxpdmmsg.cloudfront.net/collegeaccounts1011/St_Annes.pdf

4. http://www.confcoll.ox.ac.uk/html/main/about_the_conference.html

5. <https://www.sid.cam.ac.uk/sites/default/files/Overview%20College%20Governance%20%28approved%20for%20website%20CC.202111.2.3e%29.docx.pdf>

6. https://www.ois.cam.ac.uk/files/cc-csc_tor_-_approved_2022-03-19.pdf
7. <https://www.varsity.co.uk/news/17700>
8. <https://governance.admin.ox.ac.uk/legislation/council-regulations-1-of-2019>
9. <https://www.lib.cam.ac.uk/university-archives/glossary/approved-foundati>
10. *Reporter*, 11 May, 1998.
11. <https://governance.admin.ox.ac.uk/legislation/council-regulations-1-of-2020>.
12. Special Ordinance c(ix)5.
13. Special Ordinances under Statute G cover only eligibility for Professorial 'Fellowships'.
14. <https://www.ox.ac.uk/admissions/undergraduate/applying-to-oxford/step-by-step-support>
15. For example <http://www.st-annes.ox.ac.uk/study-here/>
16. <https://www.undergraduate.study.cam.ac.uk/apply>
17. <https://www.undergraduate.study.cam.ac.uk/apply/after/cam->

bridge-interviews

18. *Reporter*, 31 January.

*In Cambridge a cluster of Statutes in 1860-1 sought to make the necessary adjustments by Grace of the Senate to allow the accommodations needed to permit the appointment of many new Professors and some University Lecturers. Qualifications, going beyond the academic, were to be required for the Hulsean Lecturer or the Regius Professors (1860):

'Any candidate shall be capable of being chosen Professor or Lecturer who is thirty years of age or upwards, in Holy Orders, and a Master of Arts, or of some higher degree in the University of Cambridge.'

Cambridge Professorships were created through the generosity of donors willing to provide for their salaries. From 1860 the Plumian Professor of Astronomy and Experimental Philosophy was required to appoint a 'Scholar' to assist him (with lodging and stipend) and give two Latin lectures a year. The new Statute for the Knightbridge Professorship of Moral Theology, Casuistical Divinity and Moral Philosophy (1861) required the appointee to be a Bachelor or Doctor of Divinity and to give four Latin lectures a year, to be delivered on paper to the Vice-Chancellor in clear handwriting.

This brought about a shift from the assumption that it was the Colleges which provided regular tuition for students while the University simply offered a limited number of lectures. Nevertheless in the case of Scholarships with funding attached the University might set requirements connected with Colleges. The candidate for Sir William Browne's Scholarship (1858) was not to be required 'to admit himself to Peterhouse, nor to reside there during his undergraduateship', nor would he have to produce every Sunday a copy of Greek or Latin verses; nor to go to lectures with the Mathematic Professor for three years'. In the case of Bell Scholarships (1858) the Electors would 'be at liberty to choose candidates from King's College or Trinity Hall'.

How to initiate Congregation actions

How to trigger a debate or discussion in Congregation

It is open to any 20 or more members of Congregation to propose a resolution or topic for discussion at a meeting of Congregation; requests must be made in writing to the Registrar not later than noon on the 22nd day before the relevant meeting. Any 2 or more members of Congregation can submit an amendment to, or announce an intention to vote against, a resolution or a legislative proposal (*i.e.* a proposal to amend the statutes). Notice must be given to the Registrar (in writing) not later than noon on the 8th day before the meeting.

Questions and replies

Any 2 or more members of Congregation may ask a question in Congregation about any matter concerning the policy or the administration of the University. Requests must be submitted to the Registrar (in writing) not later than noon on the 18th day before the Congregation meeting at which it is to be asked. The question and the reply (drafted by Council) will be published in *Gazette* in the week prior to the relevant meeting. The answer is also formally read out at the meeting. Supplementary questions are allowed.

Postal votes

Attendance at meetings of Congregation tends to be low. Postal voting can potentially allow opinion to be easily accessed more widely across Congregation membership. Congregation can trigger a postal vote after a debate (but not after a discussion or a question and reply where no vote is taken). 25 or more members of Congregation have to be present ("on the floor") at the relevant debate. The request must be made by 4pm on the 6th day after the debate, signed by 50 members of Congregation, in writing to the Registrar. Council can also decide to hold a postal ballot, by the same deadline.

Flysheets

To generate a flysheet for publication with the *Gazette*, the camera-ready copy (2 sides maximum) should be submitted with at least 10 signatures on an indemnity form (obtainable from the Registrar) by 10am on the Monday in the week in which publication is desired.

Regulations governing the conduct of business in Congregation can be found at: <http://www.admin.ox.ac.uk/statutes/regulations/529-122.shtml>
 Items placed on the agenda for Congregation are published in the *Gazette*.
 The Congregation website is at: www.admin.ox.ac.uk/councilsec/governance/congregation.
 Advice on Congregation procedures is available from the Council Secretariat on request (email: congregation.meeting@admin.ox.ac.uk).

REVIEWS

The theatre of the brain

Marjorie Garber, *Shakespeare in Bloomsbury* (Yale University Press, £25).



In certain quarters 'Bloomsbury' is a dirty word, even though it has its positive and worthy side. I recall John Wain's party in the garden of 'Wain Towers' in Wolvercote, thrown to celebrate his election to the Oxford Professorship of Poetry, and at some point he heard someone utter the dread word 'Bloomsbury'. 'Out! out of this garden!' Queenie Leavis thought that Virginia Woolf encouraged 'boudoir scholarship'. Let us forget this for the moment, and consider the more approved aspects.

There was old Bloomsbury and newer Bloomsbury. Old Bloomsbury included Virginia Woolf, Leonard Woolf, Vanessa Bell, Clive Bell, Adrian Woolf, Lytton Strachey, Maynard Keynes, his wife Lydia Lopokova, Duncan Grant, E.M. Forster, Roger Fry and Desmond MacCarthy. Newer Bloomsbury included Julian Bell, Quentin Bell and Angelica Bell, who married David Garnett. And there was an Oxfordshire outpost at Garsington Manor, where one could bump into T.S. Eliot, Virginia Woolf, E.M. Forster and other luminaries.

We get off to a bad start with Woolf thinking that Shakespeare *redivivus* 'might have liked us all tonight.' Pshaw! I'd never be so vain as to consider such a thing, and in any case he probably wouldn't understand a word they were saying, considering that he knew that the language of the future would be in 'accents yet unknown'.

Garber's study is very full and dense, and covers a good deal of ground. The general drift is that for Bloomsbury Shakespeare was very much in their minds, and constantly available for reference and quotation. The figures tended to read him rather than see his work performed, although Dadie Rylands was an exception, a great enthusiast of the theatre. When Virginia Woolf saw Peggy Ashcroft, John Gielgud, Laurence Olivier and Edith Evans in *Romeo and Juliet* she thought they spoil the poetry. I think I can understand why she had reservations. I saw Ashcroft in *The Duchess of Malfi* in 1960, where she was cool and stately, but that's not the whole story. Gielgud's voice is like the tremulous stop on the harmonium with the *vox humana* stop perpetually out. I caught the last blast of that chanting tradition when I

heard Dame Edith Evans reciting or, rather, intoning, in Rhodes House. It wasn't for me. As each generation of actors comes along they are supposed to make Shakespeare sound more natural, which was how Ellen Terry was regarded, and yet when you hear her on record she sounds laboured and theatrical in the bad sense.

One reason why Bloomsbury was less than enthusiastic about theatrical performances was that Shakespeare in the professional theatre in the early twentieth century was pretty disastrous. It was heavily realistic, with real rabbits scampering about in the Beerbohm Tree production of *A Midsummer Night's Dream* (1900). A hefty indictment comes from Lytton Strachey, concerning a production of *The Merchant of Venice*:

'Their object seems to be to buoy up the meaning of the words they utter by all the stage devices at their command – by exaggerated gesture and ceaseless movement, by forced laughter and preposterous sighings and undercurrents of incidental music, by an intolerable slowness of enunciation, and by an intonation of the blank verse more barbarous than can be described.' (*The Spectator*, 25 April 1908).

The situation was similar in the Romantic Movement, so that it was natural that Keats should write a sonnet titled 'On sitting down to read *King Lear* once again'. (my italics). There were attempts to remedy the situation, notably by William Poel. Improvement also came via amateurs and outfits such as the Cambridge Marlowe Society. They spoke the verse more naturally, more trippingly on the tongue (as Hamlet recommends). And the sets were plainer and less laboured, especially those designed by Ellen Terry's son, Edward Gordon Craig.

The habit of reading Shakespeare rather than seeing him on the stage could have begun in 1623, with the publication of the First Folio. Before that any attempts to read Shakespeare in scattered Quartos would have been sporadic. Still, when I produced for my much-loved tutor Bernard Harris whimsical sub-Wilson Knightery concoctions he reminded me, very gently, that, after all, Shakespeare was written to be performed. Appropriately he was my only tutor to take me to the theatre, a wintry Stratford theatre. We went to see Ian Bannen in *Hamlet*, the production that had Geraldine McEwan as Ophelia. As we entered the lobby there was a huddled queue of teenagers waiting outside for return tickets. 'Freeze thy young blood', said Bernard (*Hamlet* of course).

This was when Shakespeare was on the lips of anyone pretending to be cultured. I love the story of the Inkling Hugo Dyson crying out, when some Swiss photographer took a flashlight photograph in the middle of a lecture he was giving in Stratford, 'Where are my Switzers? Let them guard the door.' (*Hamlet* again). That's funnier than Paul Rayley in *To the Lighthouse* saying to himself 'Lights, lights, lights' (*Hamlet* again).

Shakespeare saturated Bloomsbury conversations. In the rooms the women come and go, talking of that Mercutio. Here is a typical scene from Ottoline Morrell's *Early Memoirs*:

'Then there float to me remembered lines from Richard II and Antony and Cleopatra that Philip [her husband] has been reading to me, transplanting me into a world of poetic life where I am happy and at home, for it is that life that I am always reaching out to, to draw it into my own life.'

Shakespeare's presence is felt in Woolf's fiction and other writings via multiple allusions. He himself even puts in a cameo appearance in *Orlando*:

'But there, sitting in the servant's dinner table with a tankard beside him and paper in front of him, sat a rather fat, rather shabby man, whose ruff was a thought dirty, and whose clothes were of hoddenn brown.'

A more vulgar novelist would have allowed him to have a conversation with the bard: 'Is there something of Iago in your make-up?' 'Where did you get your idea of Rosalind from?' 'Did you write all the plays yourself?' In *Orlando* the hero and Sasha see a performance of *Othello* at an ice fair on the Thames. This does not seem to me at all probable. After the play he says to himself these lines:

'Methinks it should be now a huge eclipse Of sun and moon, and that the affrighted globe Should yawn –'

It's not credible that anyone would be able to recall these lines after seeing the play. What Woolf does say, which is more plausible considering Hamlet's advice to the players, is that the lines are 'spoken with extreme speed and a daring agility'.

Garber describes a world in which almost everyone in the coterie had the whole of Shakespeare in their heads, so that they were ready to connect with the real world. There is something to be said for that. Here I am in Collioure, looking at the waves

flowing over the channelled rocks, and recalling that phrase from *Othello*: ‘the guttered rocks.’



‘Guttered rocks’ in Collioure. Photograph by Bernard Richards

It’s so vivid he must have seen the sea. Likewise ‘the pebbled shore’ in Sonnet 60 also suggests first-hand experience with the sea, as does the action of the sea in Sonnet 64:

‘When I have seen the hungry ocean gain
Advantage on the kingdom of the shore,
And the firm soil win of the wat’ry main,
Increasing store with loss, and loss with store.’

The truth of this beautifully expressed observation is confirmed by recalling that Ellen Terry’s house in Smallhythe was on the sea in Henry VIII’s time, even though it is now miles inland, and that her cottage on the hill in Winchelsea was there because the old town had been swallowed by the sea in the Middle Ages.

If one has Shakespeare strongly in one’s head a performance is almost bound to be disappointing and beside the point. I have seen over the years so few Shakespeare productions that have entirely satisfied. I think of Geraldine McEwan and Dorothy Tutin in *Twelfth Night* and Dorothy Tutin and Max Adrian in *Troilus And Cressida*. We used fondly to imitate the way McEwan’s Ophelia (RSC 1961) said, ‘And I, of ladies most deject and wechid that sucked the honey of his music vows.’ (Incidentally, an early example of synaesthesia). None of us imagined then that she would transmogrify into Miss Marple. They represent the Gold Standard.

I suppose the last production I fully enjoyed was Anthony Sher’s *Richard III* (1984). I now never expect to see a satisfactory rendition of Shakespeare in the theatre for the rest of my life. I recognised that things were starting to change when productions increasingly interposed something in between us and Shakespeare rather than revealing him. An example was in Bogdanov’s *Romeo and Juliet* (1986), when someone broke off a red Alfa Romeo’s radio-aerial to stab an enemy, and it telescoped like a stage dagger.



Alfa Romeo and Juliet (RSC, 1986). Mercutio (in the panama hat) is played by Michael Kitchen.

Mercutio recovered after a heavy night with an alka seltzer. Plop plop fizz fizz, Oh what a relief it is! For this relief much thanks? A Morris Minor drophead coupé appeared in Bill Alexander’s production of *The Merry Wives of Windsor* (1985), but, goddamnit, they were still drinking sack.



Morris Minor in *The Merry Wives of Windsor* (RSC, 1985).

More recent productions are usually largely unsatisfactory, as my reviews in this magazine have charted. As I said of RSC’s *King John* (Oxford Magazine, No. 326, Trinity Term, 2012) produced by Maria Aberg: ‘it’s infuriating and impossible to make sense of.’ A modern production of *The Merchant of Venice* will come with an Elvis impersonator (Oxford Magazine, No. 314, Trinity Term, 2011).

There was often a degree of wit when Bloomsbury appropriated Shakespeare. When Desmond MacCarthy wrote his book on the Royal Court Theatre the epigraph was an altered passage from *As You Like It*:

‘TOUCHSTONE: Wast ever at the Court, shepherd?

CORIN: No, truly.

TOUCHSTONE: Then thou art damned.’

There’s a nice incident, described in a letter from Lytton Strachey to Roger Senhouse, when an aeroplane landed at Ham Spray, and everyone rushed out to see it, leaving Dora Carrington ‘solitary on her bed, like Antony “whistling to the air.”’

There is something elegiac about Garber’s study, when one realises that Shakespeare is now not in the forefront of people’s minds. Actual Shakespeare that is. There is a moment in Ian McEwan’s *Machines Like Me* when the robot Adam quotes from *Troilus and Cressida* ‘Time hath, my Lord,

a wallet at his back wherein puts alms for oblivion.’ Charlie does not recognise it and Adam chastises him: ‘Shakespeare, Charlie. Your patrimony. How can you bear to walk around without some of it in your head?’ Charlie replies, ‘Somehow, it seems I can.’

In the end though nothing in Bloomsbury is as picturesque as the American poet and academic John Shade, in Nabokov’s *Pale Fire*, expressing his enthusiasm for the ‘purple passages’ in *Hamlet* and *King Lear*: ‘I roll upon them as a grateful mongrel on a spot of turf fouled by a Great Dane.’ In choosing this phrase as a title Nabokov is going against his own proscription:

‘[I] condemn the fashionable device of entitling a collection of essays or a volume of poetry – or a long poem, alas – with a phrase lifted from the more or less celebrated poetical works of the past. Such titles possess a specious glamour acceptable maybe in the names of vintage wines and plump courtesans but only degrading in regard to the talent that substitutes the easy allusiveness of literary for original fancy and shifts onto a bust’s shoulders the responsibility for ornateness since anybody can flip through *A Midsummer Night’s Dream* or *Romeo and Juliet*, or, perhaps, the Sonnets and take his pick.’

It’s true that *Timon of Athens* is a bit more off piste.

There are pessimistic notes here, but all is not lost. Shakespeare is still quoted. In the *ASLEF Journal* (to which I contribute most months) for February one finds this from the relatively unknown play *Coriolanus*: ‘What’s the matter, you dissentious rogues, / That, rubbing the poor itch your opinion, / Make yourselves scabs.’ In *The Sunday Times* (11 February) Robert Colville alludes to Claudius’s line in *Hamlet* that ‘when sorrows come, they come not single spies, but in battalions.’ Shakespeare sometimes helps people to deal with the world. There is a nice instance when Seamus Heaney in 2006 found himself in the Royal Hospital Donnybrook and recognised that his ‘co-mates’ resembled ‘the low life in those Shakespearean history play tavern scenes.’ He found he liked one of the old buggers ‘in the end’.

Garber brings us to the day before yesterday. She notes Frances Partridge arguing with Lord David Cecil about *Hamlet*: ‘Nor would be hear of *Hamlet* having been tormented by speculative doubt. So he seemed to me to miss the whole point of his character, turning him into a bigoted fanatic, and doing so with a somewhat fanatical gleam in his eye.’ She ends with Vanessa Bell’s group portrait of *The Memoir Club* (circa 1943) and suggests that the blank space on the wall is waiting for Shakespeare’s portrait. I don’t quite buy it, but it’s an ingenious idea.

BERNARD RICHARDS

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